

ESTTA Tracking number: **ESTTA486465**

Filing date: **07/31/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206107
Party	Defendant AMBRY GENETICS
Correspondence Address	Lynne M.J. Boisineau McDermott, Will & Emery LLP 4 Park Plaza, Suite 1700 Irvine, CA 92614-2559  OCIPDocketing@mwe.com
Submission	Withdrawal Of Application
Filer's Name	Lynne M.J. Boisineau
Filer's e-mail	OCIPdocketing@mwe.com, lboisineau@mwe.com
Signature	/lynne m.j. boisineau/
Date	07/31/2012
Attachments	ABANDONMENT_WITH CONSENT_AVOID THE DIAGNOSTIC ODYSSEY.pdf ( 3 pages )(866585 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Lineagen, Inc.	)	
	)	
Opposer,	)	Opposition No. 91206107
	)	Serial No. 85/454,755
v.	)	
	)	Mark: AVOID THE DIAGNOSTIC
	)	ODYSSEY
Ambry Genetics	)	
	)	
Applicant.	)	
	)	

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UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Re: Application No.: 85/454,755  
Mark: AVOID THE DIAGNOSTIC ODYSSEY  
Applicant: Ambry Genetics  
Filed: October 24, 2011  
Published: March 20, 2012  
International Class: 044  
For: Genetic testing for medical purposes; Medical screening; Medical testing for  
diagnostic or treatment purposes

**NOTICE OF EXPRESS ABANDONMENT WITH CONSENT**

Applicant, Ambry Genetics, through its attorneys and pursuant to 37 C.F.R. §2.135, hereby expressly abandons the above-identified application and requests dismissal of this opposition, Opposition No. 91206107. Opposer, Lineagen, Inc., through its attorneys, hereby consents to the abandonment of the above-identified application and dismissal of this opposition.

Dated: July 31, 2012

Respectfully Submitted,

**Ambry Genetics**

By: /s/ lynne m.j. boisineau  
Lynne M.J. Boisineau  
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4 Park Plaza, Suite 1700  
Irvine, CA 92614  
Telephone: (949) 851-0633  
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Attorney for Applicant

CONSENTED TO AND ACKNOWLEDGED BY:

**Lineagen, Inc.**

By: /s/ Douglas B. Cannon  
Douglas B. Cannon  
FABIAN LAW  
215 South State Street, Suite 1200  
Salt Lake City, UT 84111  
Telephone: (801) 323-2227  
dcannon@fabianlaw.com

Attorney for Opposer

### **CERTIFICATE OF SERVICE**

Applicant, Ambry Genetics, hereby certifies that a copy of the foregoing NOTICE OF EXPRESS ABANDONMENT WITH CONSENT has been served upon counsel for Opposer, Lineagen, Inc., on this 31st day of July, 2012, by First Class U.S. Mail, postage prepaid, at the following address:

Douglas B. Cannon  
FABIAN LAW  
215 South State Street, Suite 1200  
Salt Lake City, UT 84111

/s/ lynne m.j. boisineau  
Lynne M.J. Boisineau  
Attorney for Applicant